

**Return**

Case No.: 3:21-MJ-195-BK	Date and time warrant executed: March 4, 2021	Copy of warrant and inventory left with: USLawEnforcement@google.com
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Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

SEE ATTACHED

**Certification**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: Initially Served on March 4, 2021  
Documented on March 10, 2023

electronically signed by Dan McQueen for Jason Seth  
*Executing officer's signature*  
Dan McQueen Special Agent for Jason Seth Special Agent  
*Printed name and title*

## UNITED STATES DISTRICT COURT

for the  
Northern District of Texas

In the Matter of the Search of )  
(Briefly describe the property to be searched )  
or identify the person by name and address) ) Case No. 3:21-MJ-195-BK  
INFORMATION ASSOCIATED WITH THE EMAIL ADDRESSES: )  
RSPEIGHTS@AMICUSVISION.COM )  
AND MATTAHS492@GMAIL.COM, )  
THAT ARE STORED AT A PREMISES CONTROLLED BY GOOGLE, LLC. )

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Northern District of California  
(identify the person or describe the property to be searched and give its location):

Please see Attachment A

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

Please see Attachment C

**YOU ARE COMMANDED** to execute this warrant on or before March 18, 2021 (not to exceed 14 days)  
☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

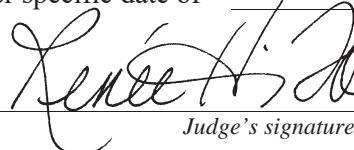
The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Renée Harris Toliver  
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of

Date and time issued: 3/4/2021 4:32 pm

City and state: Dallas, Texas

  
Judge's signature

RENÉE HARRIS TOLIVER, U.S. Magistrate Judge  
Printed name and title



## **ATTACHMENT A**

### **PROPERTY TO BE SEARCHED**

This warrant applies to:

Information associated with the email addresses listed below, that are stored at premises controlled by: Google, LLC (Google), an electronic communications, website, and cloud service provider headquartered at 1600 Amphitheatre Parkway, Mountain View, CA 94043:

- [rspeights@amicusvision.com](mailto:rspeights@amicusvision.com) (**Target Account 1**); and
- [mattahs492@gmail.com](mailto:mattahs492@gmail.com) (**Target Account 2**)

## **ATTACHMENT C**

### **PARTICULAR THINGS TO BE SEIZED**

#### **I. Information to be Disclosed by Google, LLC (Google or the Provider)**

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any emails, records, files, logs, or information that has been deleted but are still available to the Provider, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Provider is required to disclose the following information to the Government for each email account or identifier listed in Attachment A:

- a. the contents of all emails associated with each of the **Target Account 1** and **Target Account 2** described in Attachment A from April 1, 2018 through September 30, 2019, including stored or preserved copies of emails sent to and from the account, draft emails, the source and destination addresses associated with each email, the date and time at which each email was sent, and the size and length of each email;
- b. all records or other information regarding the identification of the accounts, to include full name, physical address, telephone numbers and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the IP address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative email addresses provided during registration,

methods of connecting, log files, and means and source of payment  
(including any credit or bank account number);

- c. all records pertaining to the types of service utilized by the user;
- d. all records or other information stored at any time by an individual using the account, including address books, contact and buddy lists, calendar data, pictures, and files; and
- e. all records pertaining to communications between the Provider and any person regarding the account, including contacts with support services and records of actions taken.
- f. each Provider is hereby ordered to disclose the above information to the Government within 14 days of service of this warrant.
- g. for purposes of authentication at trial, the Government is authorized to retain a digital copy of all seized information authorized by the Warrant for as long as is necessary for authentication purposes.

## **II. Information to be Seized by Law Enforcement**

All information described above in Section I that constitutes evidence, fruits, or instrumentalities of violations of 18 U.S.C. § 371 (Conspiracy to Defraud the United States and to Pay and Receive Health Care Kickbacks), 18 U.S.C. § 1035 (False Statements to Health Care Matters), 18 U.S.C. § 1343 (Wire Fraud); 18 U.S.C. § 1347 (Health Care Fraud), 18 U.S.C. § 1349 (Conspiracy to Commit Health Care Fraud), and 42 U.S.C. § 1320a-7b (Anti-Kickback Statute) (collectively, the **Target Offenses**), those violations involving Trinity Clinical Laboratories, LLC (TCL), TCL's co-owners and

representatives (including John Grisham, Lori Grisham, James Courville, and Rob Wilburn), John Berberian, Richard Speights, Jr., Matthew Eggen, and Marc Levy occurring from April 1, 2018 through September 30, 2019, including, for each email account or identifier listed on Attachment A, information pertaining to the following matters:

1. All communications related to health care fraud, illegal health care kickbacks, false statements to health care programs, and/or genetic screening tests involving TCL, TCL's owners and representatives (including John Grisham, Lori Grisham, James Courville, and Rob Wilburn), John Berberian, Richard Speights, Jr., Matthew Eggen, and/or Marc Levy.
2. Evidence indicating how and when the email account was accessed or used, to determine the geographic and chronological context of account access, use, and events relating to the crime under investigation and to the email account owner. Evidence indicating the email account owner's state of mind as it relates to the **Target Offenses**.
3. All records relating in any way to patients or customers of businesses owned or controlled by TCL, TCL's co-owners and representatives (including John Grisham, Lori Grisham, and Rob Wilburn), John Berberian, Richard Speights, Jr., Matthew Eggen, and/or Marc Levy including the following types of records: patient charts, files, records, treatments cards, recordings of telephonic conversations, patient ledger

cards, patient complaints, physician notes, call center notes, medical assistant notes, genetic testing records, and original patient or referrals source listings.

4. All documents constituting, concerning or relating to bills, invoices and claims for payment or reimbursement for services billed to insurance companies, including Medicare and Medicaid, for any patients.
5. All records relating to the ordering of genetic testing.
6. All documents related to referral of patients to or from TCL.
7. All invoices and supporting documentation evidencing monies owed to or received from any of the referenced individuals or businesses.
8. All contracts, billing agreements, professional services agreements, or any other contracts between the above-referenced individuals or businesses, and any other individual, company or billing company.
9. All Medicare and Medicaid handbooks, manuals, newsletters or other Medicare and Medicaid publications.
10. Bank accounts, money market accounts, checking accounts, equity lines of credit, investment accounts, stock fund accounts, bonds or bond funds, including deposits and disbursements, canceled checks or drafts, electronic transfers, ledgers, loan statements and loan agreements.
11. All corporate, business and personal tax returns the above-referenced individuals or businesses, including, , any quarterly employment tax

returns, withholding records, W-2s, and any Internal Revenue Service Forms 1099.

12. All documents consisting, concerning or relating to all current and former employees, including personnel files, employee rosters, names, addresses, telephone numbers, email addresses, time cards or similar records, expense reports, training information, certification verification, salary and compensation information, disciplinary records, licensure records, job applications, job descriptions, employment agreements and W-2 forms.

13. Receipt transfer or other disposition of criminal proceeds.

### **III. Review of the Target Accounts by Law Enforcement**

With respect to law enforcement's review of **Target Account 1 and Target Account 2**, law enforcement (i.e., the federal agents and prosecutors working on this investigation and prosecution), along with other government officials and contractors whom law enforcement deems necessary to assist in the review of **Target Account 1 and Target Account 2** (collectively, the "Review Team") are hereby authorized to review, in the first instance, **Target Account 1 and Target Account 2** and the information and materials contained in them, as set forth in this Attachment C.

If law enforcement determines that all, some, or a portion of the information or materials in **Target Account 1 and Target Account 2** contain or may contain information or material subject to a claim of attorney-client privilege or work-product protection (the "Potentially Privileged Materials"), the Review Team is hereby ordered to: (1) immediately cease its review of the specific Potentially Privileged Materials at



issue; (2) segregate the specific Potentially Privileged Materials at issue; and (3) take appropriate steps to safeguard the specific Potentially Privileged Materials at issue.

Nothing in this Section III shall be construed to require law enforcement to cease or suspend the Review Team's review of **Target Account 1 and Target Account 2** upon discovery of the existence of Potentially Privileged Materials in **Target Account 1 or Target Account 2**.

Google LLC  
1600 Amphitheatre Parkway  
Mountain View, California 94043



USLawEnforcement@google.com  
www.google.com

03/17/21

Special Agent/Criminal Investigator Jason Seth  
U.S. Department of Health and Human Services (OIG)  
1100 Commerce Street, Suite 629  
Dallas, TX 75098

**Re: Search Warrant dated March 04, 2021 (Google Ref. No. 5459467)  
6-19-0-0178-9**

Dear Special Agent/Criminal Investigator Seth:

Pursuant to the Search Warrant issued in the above-referenced matter, we have conducted a diligent search for documents and information accessible on Google's systems that are responsive to your request. Our response is made in accordance with state and federal law, including the Electronic Communications Privacy Act. See 18 U.S.C. § 2701 et seq.

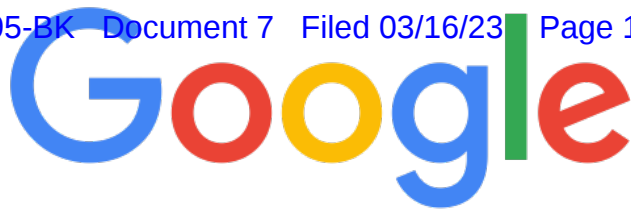
Accompanying this letter is responsive information to the extent reasonably accessible from our system associated with the Google account(s), *RSPEIGHTS@AMICUSVISION.COM*, *MATTAHS492@GMAIL.COM*, as specified in the Search Warrant. We have also included a signed Certificate of Authenticity which includes a list of hash values that correspond to each file contained in the production. Google may not retain a copy of this production but does endeavor to keep a list of the files and their respective hash values. To the extent any document provided herein contains information exceeding the scope of your request, protected from disclosure or otherwise not subject to production, if at all, we have redacted such information or removed such data fields.

To the extent that you have requested data related to the Google Chat service, and the target account participated in a Chat Room owned and controlled by a Google Workspace customer, included in the production is information sufficient to identify (a) the Workspace customer domain that owns and controls the Chat Room and records associated with the same; (b) the Workspace-owned Chat Room in which the target account participated; and (c) the date the target account joined the Workspace-owned Chat Room.<sup>1</sup>

Please note that Google Pay service data is under the control of Google Payment Corporation. Any request for such data must be specifically addressed to Google Payment

<sup>1</sup> See the UserInfo.zip file, where [obfuscated\_customer\_id] indicates if a Chat Room is owned and controlled by a Workspace customer, and the domain of the [inviter\_user] identifies the Workspace customer. If you wish to obtain Chat records associated with the target account that are owned and controlled by the Workspace customer, please use the information provided in this production to either request that information directly from the Workspace customer, see *Seeking Enterprise Customer Data Held by Cloud Service Providers*, U.S. Dep't of Justice (Dec. 2017), <https://www.justice.gov/criminal-ccips/file/1017511/download>, or to obtain appropriate legal process that identifies the Workspace-owned Chat Room and the Workspace customer domain for those records.

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Mountain View, California 94043



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Corporation and can be served through the email address [googlepayments@google.com](mailto:googlepayments@google.com).

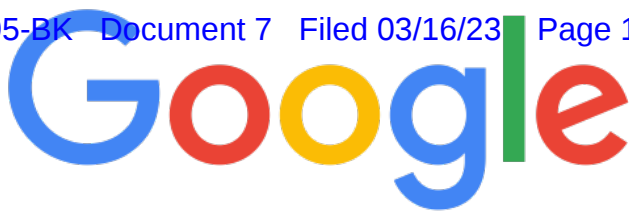
For a Google Custodian of Records, we will require a subpoena and confirmation from you of the time and date of the appearance, the scope of testimony, any Google Reference Number(s) associated with the case, and the travel for the appearance at least one week in advance in order to identify, make the appropriate plans for, and prepare a custodian for trial.

Finally, in accordance with Section 2706 of the Electronic Communications Privacy Act, Google may request reimbursement for reasonable costs incurred in processing your request.

Regards,

Kylie Miller  
Google Legal Investigations Support

Google LLC  
1600 Amphitheatre Parkway  
Mountain View, California 94043



USLawEnforcement@google.com  
www.google.com

### CERTIFICATE OF AUTHENTICITY

I hereby certify:

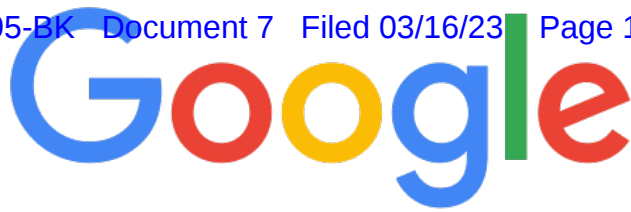
1. I am authorized to submit this affidavit on behalf of Google LLC ("Google"), located in Mountain View, California. I have personal knowledge of the following facts, except as noted, and could testify competently thereto if called as a witness.
2. I am qualified to authenticate the records because I am familiar with how the records were created, managed, stored and retrieved.
3. Google provides Internet-based services.
4. Attached is a true and correct copy of records pertaining to the Google account-holder(s) identified with account(s) *RSPEIGHTS@AMICUSVISION.COM*, *MATTAHS492@GMAIL.COM*, with Google Ref. No. 5459467 ("Document"). Accompanying this Certificate of Authenticity as Attachment A is a list of hash values corresponding to each file produced in response to the Search Warrant.
5. The Document is a record made and retained by Google. Google servers record this data automatically at the time, or reasonably soon after, it is entered or transmitted by the user, and this data is kept in the course of this regularly conducted activity and was made by regularly conducted activity as a regular practice of Google.
6. The Document is a true duplicate of original records that were generated by Google's electronic process or system that produces an accurate result. The accuracy of Google's electronic process and system is regularly verified by Google.
7. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

\_\_\_\_\_/s\_ Kylie Miller\_\_\_\_\_  
(Signature of Records Custodian)

Date: 03/17/21

Kylie Miller  
(Name of Records Custodian)

Google LLC  
1600 Amphitheatre Parkway  
Mountain View, California 94043



USLawEnforcement@google.com

www.google.com

**Attachment A: Hash Values for Production Files (Google Ref. No. 5459467)**

mattahs492.Chats.Preserved.1.zip:

MD5- cdab75899b2ce47ae59094d0bb77562d

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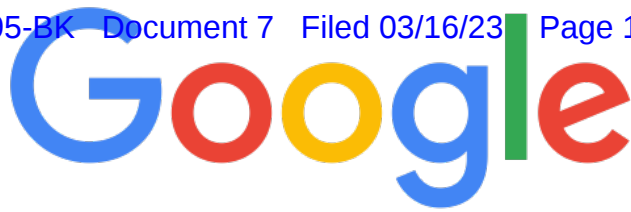
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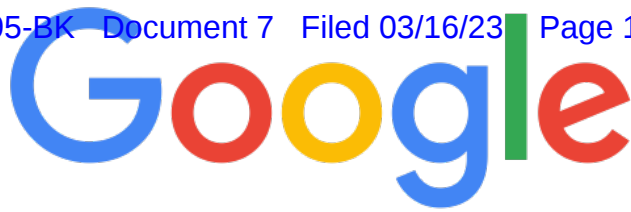
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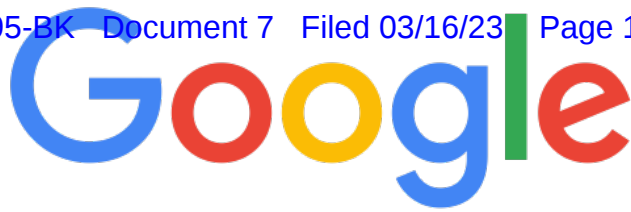
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Mountain View, California 94043



USLawEnforcement@google.com  
www.google.com

mattahs492@gmail.com.609998864670.Calendar.Calendars\_001.zip:

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mattahs492@gmail.com.609998864670.GoogleChat.GroupInfo\_001.zip:

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70e8f21764bd507c80bbe78cc747ecc4db938ccb3e98d2d



Google LLC  
1600 Amphitheatre Parkway  
Mountain View, California 94043



USLawEnforcement@google.com  
www.google.com

mattahs492@gmail.com.609998864670.GoogleChat.GroupTasks\_001.zip:

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mattahs492@gmail.com.609998864670.GoogleChat.Messages\_001.zip:

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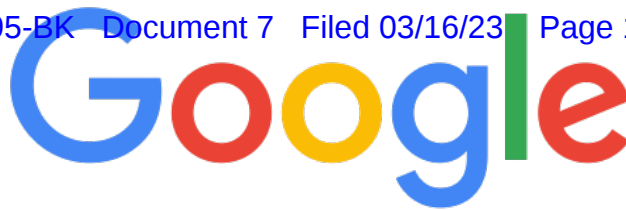
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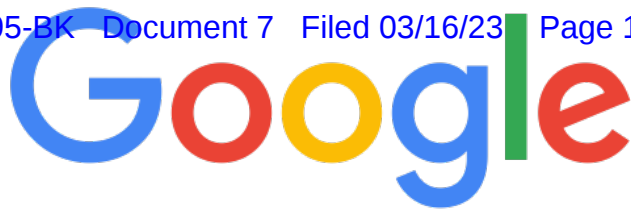
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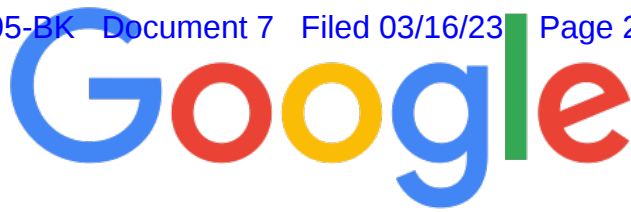
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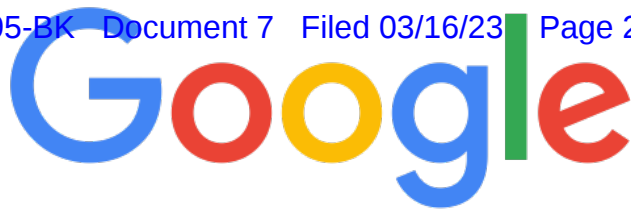
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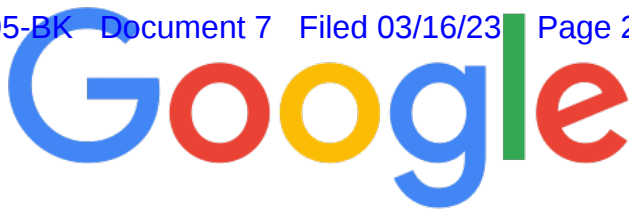
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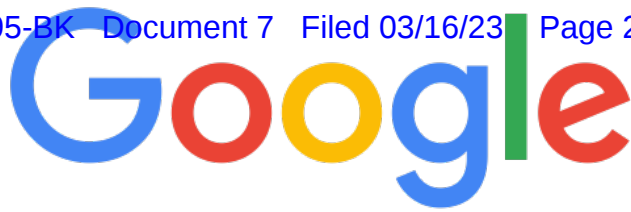
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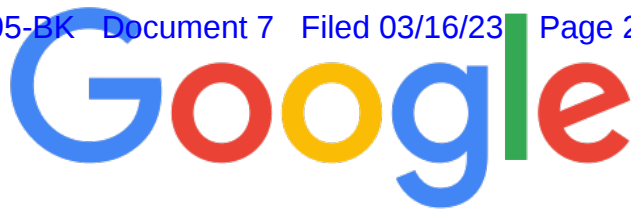
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